

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Reissue Application of Dillis V. Allen
INVENTOR: Dillis V. Allen
PATENT NO: 5,888,149
ISSUED: March 30, 1999
SERIAL NO: 08/925,301
FILED: 9-8-97
FOR: GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE
REISSUE
SERIAL NO:
FILED:

U.S. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

REISSUE APPLICATION DECLARATION

Honorable Sir:

I, Dillis V. Allen, being duly sworn, depose and say that I am a citizen of the United States of America, and a resident of Elgin, Illinois; that I verify believe myself to be the original, first and sole inventor of the invention described and claimed in U.S. Letters Patent No. 5,888,149 for which invention I solicit a Reissue Patent; that I do not know and do not believe that said invention was ever known or used in the United States of America before my invention thereof; that it is claimed that such Patent is inoperative or invalid by reason of the Patentee claiming more or less than he had the right to claim in the Patent, and the following is a distinct specification of the excess or insufficiency in the Claims, particularly specifying the errors relied upon, and how they arose or occurred. These errors arose without any deceptive intention on the part of the applicant, and applicant acknowledges the duty to disclose to the Office all information known to applicant to be material to patentability as defined in 37 CFR 1.56.

Claims 1, 7, 9, 10 and 12 in the Patent read as follows:

Claim 1: A golf club head with a shortened hosel and ferrule, comprising: a golf club head including a ball striking face and a top wall, means to reduce club head weight and permit the saved weight to be distributed in the club head including a hosel in the golf club head having a top surface that is substantially coplanar with the top surface of the top wall, a ferrule mounted on the hosel top surface adapted to surround and finish a shaft inserted into the hosel, said ferrule having an upper small diameter portion and a lower large diameter portion to blend into a plane of and the upper surface of the top wall adjacent the hosel, said ferrule having an outer surface that curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper surface of the top wall adjacent the hosel.

Claim 7: A golf club head with a shortened hosel and ferrule, comprising: a golf club head including a ball striking face and a top wall, means to reduce club head weight and permit the saved weight to be distributed in the club head including a hosel in the golf club head having a top surface that is substantially coplanar with the top surface of the top wall, a ferrule mounted on the hosel top surface adapted to surround and finish a shaft inserted into the hosel, said ferrule having an upper small diameter portion and a lower large diameter portion to blend into the plane of and the upper surface of the top wall, said ferrule having an outer surface that curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper surface of the top wall adjacent the hosel, said ferrule having a lower substantially flat surface at the lower large diameter portion, said hosel having

a top surface substantially greater in outer diameter than the hosel bore and complementary to the lower surface of the ferrule, thereby creating large mating surfaces on the ferrule and hosel, and a bonding agent on the mating surfaces on the ferrule and the hosel, whereby the ferrule has an increased ability to support the club shaft in a direction perpendicular to the hosel axis.

Claim 9: A golf club head with a shortened hosel and extended ferrule, comprising: a golf club head having a ball striking wall and a top wall extending rearwardly from the ball striking wall, a hosel projecting upwardly from the top wall having a bore therethrough with an axis and with a diameter about 0.334 inches, said hosel extending upwardly from the top wall a distance less than 0.250 inches, said hosel having a top surface that is substantially planar and having portions thereof that extend outwardly from the hosel axis substantially more than 0.250 inches to increase the area of the top surface of the hosel, and a ferrule mounted on top of the hosel having a lower surface that is substantially equal in area to the enlarged area of the top surface of the hosel, said ferrule having an upper small diameter portion and a lower large diameter portion to blend into the plane of the upper surface of the top wall, said ferrule having an outer surface that curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper surface of the top wall adjacent the hosel.

Claim 10: A golf club head, comprising: a golf club head having a ball striking wall and a top wall extending rearwardly from the ball striking wall, a hosel projecting upwardly from the top wall having a bore therethrough with an axis with a diameter about 0.334 inches, said hosel

extending upwardly from the top wall a distance less than 0.250 inches, said hosel having a top surface that is substantially planar and having portions thereof that extend outwardly from the hosel axis substantially more than 0.250 inches to increase the area of the top surface of the hosel, a ferrule constructed of a light-weight synthetic material, said ferrule having a bore therethrough adapted to receive a golf club shaft, said ferrule having outer surface at an upper portion thereof that is circular and closely adjacent the ferrule bore, said outer surface of the ferrule curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper of the top wall adjacent the hosel.

Claim 12: A golf club head with a shortened hosel, comprising: a golf club head including a ball striking face and a top wall, means to reduce club head weight and permit the saved weight to be redistributed in the club head including a hosel in the golf club head having a top surface substantially coplanar with the top wall and projecting below the top wall with a bore therein, said hosel having an axial length downwardly from the top surface of the hosel less than 0.75 inches, and a ferrule mounted on the hosel top surface adapted to surround and finish a shaft inserted into the hosel, said ferrule having an upper small diameter portion and a lower large diameter portion to blend into the plane of the upper surface of the top wall, said ferrule having an outer surface that curves outwardly from the upper portion to the lower portion sufficiently so its lower end is tangent to the upper surface of the top wall adjacent the hosel.

In the course of conducting discovery in the case of *Vardon Golf Company, Inc. v. Karsten Manufacturing Corporation*, Case No. 99 C 6934, in the United States District Court for the Northern District of Illinois, Eastern Division, attorneys representing Vardon Golf Company, the assignee of U.S. Patent No. 5,888,149, and particularly during the week of March 12, 2001, suggested to the counsel for Vardon Golf Company that the claim limitation "having a top surface that is substantially coplanar with the top surface of the top wall" was an unnecessary limitation to the claims in terms of the prior art and suggested that this limitation could be broadened in the process of a reissue application. Furthermore, it was also suggested at the same time that the phrase "tangent" in the claims might be interpreted by the Courts to be exactly tangent when this phrase was intended in the context of the prosecution of the application to be "substantially tangent". For these reasons, the present application includes the addition of Claims 16 to 23.

Claim 16 is similar to Claim 1 except the phrase "having a top surface that is substantially coplanar with the top surface of the top wall" has been eliminated, and the phrase "a ferrule mounted on the hosel top surface" has been deleted and the phrase "a ferrule mounted adjacent the hosel" substituted therefor.

Similar amendments have been made to Claim 17, which is similar to original Claim 7. Also, original Claim 7 contains a typographical error in line 12, more particularly the word "and" has been cancelled and the word "end" substituted therefor. This correction is also incorporated into Claim 17. Also, the word "perimeter" in line 16 is a typographical error, and the word "diameter" is to be substituted therefor.

New Claim 18 is similar to original Claim 12 with the amendments noted above to Claim 16.

Claim 19 is similar to Claim 16 except with the addition of the word "substantially" before "tangent" in the penultimate line.

Claim 20 is similar in scope to Claim 17 with the phrase "substantially tangent" substituted for "tangent".

Claim 21 is similar to original Claim 9 with the substitution of "substantially tangent" for the word "tangent".

Claim 22 corresponds with original Claim 10 with the phrase "substantially tangent" substituted for "tangent".

Claim 23 corresponds to original Claim 12 with the substitution of "substantially tangent" for "tangent".

Declarant understands and is warned that wilful false statements and the like are punishable by fine or imprisonment, or both, (18 USC 1001), and may jeopardize the validity of the application or any Patent issuing thereon, and states that all statements made of the Declarant's own knowledge are true and that all statements made on information and belief are believed to be true.

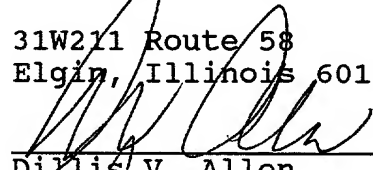
Inventor's Full Name:

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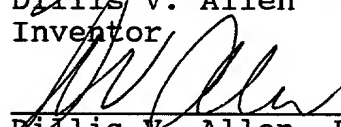
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Inventor



Dillis V. Allen, President
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Assignee

Applicant or Patentee: Dillis V. Allen Attorney's G-37
Serial or Patent No.: _____ Docket No.: _____
Files or Issued: _____
For: GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9 (f) and 1.27 (b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled GOLF CLUB HEAD WITH SHORTENED described in
HOSEL AND FERRULE

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract of law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ persons, concern or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

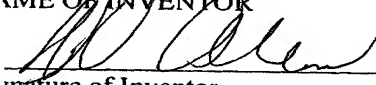
FULL NAME VARDON GOLF COMPANY, INC.
ADDRESS 1080 Nerge Road - Suite 205, Elk Grove Village, Illinois 60007
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGINIZATION

acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

hereby declare that all statements made herein of my own knowledge are true and that all statements made on formation and belief are believed to be true; and further that these statements were made with the knowledge that ifful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title of the United States Code, and that such willful false statements may jeopardize the validity of the application, any tent issuing thereon, or any patent to which this verified statement is directed.

<u>Dillis V. Allen</u>		
NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
		
Signature of Inventor	Signature of Inventor	Signature of Inventor
<u>03/28/2001</u>		
Date	Date	Date

Applicant or Patentee: Dillis V. Allen

Serial or Patent No.: _____

Attorney's

Docket No.: G-37

Filed or Issued: _____

For: GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE

VERIFIED STATEMENT (DECLARATION). CLAIMING SMALL ENTITY STATUS
(37 cfr 1.9 (f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- (☒) the owner of the small business concern identified below:
() an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN VARDON GOLF COMPANY, INC.

ADDRESS OF CONCERN 1080 Nerge Road - Suite 205
Elk Grove Village, Illinois 60007

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled, GOLF CLUB HEAD WITH SHORTENED HOSEL AND FERRULE by inventor(s) Dillis V. Allen

described in

- (☒) the specification filed herewith
() application serial no. _____, filed _____
() patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).
*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

NAME _____

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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dillis V. Allen

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 1080 Nerge Road - Suite 205

Elk Grove Village, Illinois 60007

SIGNATURE 

DATE 03/28/01